

PLAN FOR CONTROLLING OUTDOOR ADVERTISING IN AREAS ADJACENT  
TO THE NATIONAL SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS  
IN THE STATE OF WEST VIRGINIA

The provisions of Chapter 17, Article 2a, Section 8 of the Code of West Virginia, 1931, as amended, provides in Paragraph 28 that the State Road Commissioner shall have authority to comply with provisions of present and future federal aid statutes and regulations, including execution of contracts or agreements with and cooperation in programs of the United States government and any proper department, bureau or agency thereof relating to plans, surveys, construction, reconstruction, improvement and maintenance of state roads and highways.

The Legislature of West Virginia in regular session in 1961 amended Chapter 17, Article 22 of the Code of West Virginia, 1931, as amended by adding thereto a new section, designated Section 14a, relating to outdoor advertising along Interstate highways and prohibited the erection or maintenance of advertisements, advertising structures or advertising signs within 660 feet of a highway which is a part of the national system of Interstate and Defense highways and required the State Road Commissioner to promulgate the rules and regulations permitting the erection of such advertising devices within the protected area and further required that such rules and regulations be correlated to and conform with national standards prepared and promulgated by the Bureau of Public Roads of the United States Department of Commerce.

The above mentioned sections of the Code of West Virginia are set forth in a booklet entitled "Road and Motor Vehicle Laws of West Virginia, Annotated," 1957 edition, a copy of which is attached to and made a part of this plan and "Enrolled House Bill No. 470", a copy of which is attached and made a part of this plan.

On April 24, 1961, the State Road Commissioner of West Virginia issued an order concerning the control of outdoor advertising adjacent to Interstate highways.

A certified copy of the order of the State Road Commissioner is attached to and made a part of this plan.

The order does not specifically direct the Outdoor Advertising Division or the Legal and Right of Way Division of the State Road Commission of West Virginia to administer and enforce the regulations, but it is understood by the Directors of the above named divisions that the administration and enforcement will be handled by their respective divisions.

The approximate location of that portion of the National System of Interstate and Defense Highways within the State of West Virginia has been indicated on maps prepared by the State Road Commission of West Virginia. Prints of these maps have been color-coded to indicate those sections of the system that are covered by the terms of the agreement of which this plan is a part. This color-code also indicates the approximate location of those sections of the System not yet let to contract but along which the State of West Virginia intends to control outdoor advertising. These maps have been gathered together in booklet form and entitled "Control of Outdoor Advertising on the Interstate System". A copy of this booklet is attached to and made a part of this plan.

This Plan and the attachments hereto that are a part of the Plan, upon approval by the Administrator, will become a part of the Agreement. It is understood and agreed between the parties hereto that the State may, from time to time, submit additions or amendments to this Plan. If approved by the Administrator, such additions and/or amendments shall be incorporated in and become a part of the Agreement.

The State's Plan for Controlling Outdoor Advertising in Areas Adjacent to the National System of Interstate and Defense Highways, as herein set forth, is signed for purposes of identification by the State Road Commissioner of West Virginia.

June 1, 1961

  
Burl A. Sawyers  
State Road Commissioner

The State Road Commission of West Virginia, under Chapter 17, Article 22, Section 14-a, Code of West Virginia, 1931, as amended, is empowered to control outdoor advertising along Interstate highways.

The following breakdown of the Interstate Highway System is color-coded to show only those controls required by the Federal Highway Act, and its amendment, and the extent of participation in the Bonus Award for the control of outdoor advertising that it is believed will be requested by the State of West Virginia:

1. Those segments of the Interstate Highway System indicated by Green Tape (■■■■) are included under the terms of the agreement between the State of West Virginia and the Secretary of Commerce and, therefore, will be controlled in accordance with the terms of the Highway Act. The State will submit these portions of the Interstate System for participation in the Bonus Award.
2. Those segments of the Interstate Highway System indicated by red striped tape (■■■■) are generally included under the terms of the agreement but have small scattered sections that will not be included. Those sections that are included under the terms of the agreement will be controlled in accordance with the terms of the Highway Act.
- 3A. Those segments of the Interstate Highway System indicated by Red Tape (■■■■) are not included within the terms of the agreement. These segments contain some portion of the right of way of the